

**HOME INSPECTOR ADVISORY COMMITTEE
1400 EAST WASHINGTON AVENUE, MADISON, WI
MINUTES
WEDNESDAY MAY 16, 2001**

PRESENT: Jerome Baumgardt, Larry Engen, Mark Jankowski, Norbert Lovata, Rita McCain (by telephone), Mark Thomas and Brian Vanden Heuvel

EXCUSED: Richard Staff

STAFF PRESENT: Cletus Hansen, Jacquelynn Rothstein and Grace Schwingel

CALL TO ORDER

The meeting was called to order at 9:30 a.m. by Clete Hansen, Administrator of the Division of Business Licensure and Regulation.

AGENDA

The agenda were informally approved.

MINUTES (2/21/01)

MOTION: Mark Jankowski moved, seconded by Brian Vanden Heuvel, to approve the minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Oscar Herrera, Secretary

Secretary Oscar Herrera welcomed the Committee members and introduced himself to the Committee. He thanked the Committee members for assisting the Department by their attendance at meetings. Committee members also introduced themselves to Secretary Herrera.

Cletus J. Hansen, Administrator

i. Roster

Committee members inquired about the length of their term as committee members and inquired about filling the vacancy for a public member position on the Committee. Rita McCain recommended the appointment of Tom Conrad, Dane County Housing Authority, to the vacant public member position. Committee members suggested that an official of the Wisconsin Realtors Association may not be an appropriate public member appointment, because Realtors and other real estate licensees do not have a true public interest relating to home inspector issues.

Hansen informed Committee members that Roxanne Peterson, Administrative Assistant, will be sending appointment letters soon.

ii. Next Meeting Date

The Committee agreed to meet on Wednesday, September 12, 2001.

ii. To-Do List

Clete Hansen explained that the purpose of the To-Do List is to remind Committee members and staff what needs to be done before the next meeting.

UPDATE ON EXAMINATIONS

Duane Dorn, Office of Exams, reviewed the pass rates and agreed to obtain more statistical information about the exam. Two handouts were given out to Committee members. The Committee noted that a combination of factors may have led to a lower rate of failure toward the end of last year. One factor is that people with less experience were taking the exam. The other factor is that the passing score had been changed. Dorn will continue to monitor the pass ratio, to ensure that there are no unfair disadvantages to Wisconsin candidates. The Committee agreed that questions on such topics, as volcanoes and earthquakes should more appropriately be in state exams. Lovata suggested that electrical wiring diagrams ought to be in color (red/black/white), not black and white.

UPDATE ON NUMBER OF LICENSEES

Hansen distributed a “restricted list” (a list that does not include the names of persons who do not want their names on a list of 10 or more names), dated May 15, 2001.

Hansen said he anticipated that Rick Staff would provide the results of a home inspector survey that the Wisconsin Realtors Association had conducted, relating to the availability of a registered home inspectors; however, Mr. Staff was not able to attend the meeting.

HOME INSPECTOR EDUCATION

Hansen reported that the random audit that requested proof of continuing education from 60 home inspectors out of 373 who renewed their registration certificates produced satisfying results. Every person was able to provide satisfactory proof of completion of the required education. Hansen invited committee members to review the responses received by the Department. Committee members concurred with Hansen’s conclusions about the survey results.

The Committee informally agreed that there is not a need at the present time to revise the administrative rules to tighten the educational program approval policies.

RELATIONSHIP BETWEEN REAL ESTATE AGENTS AND HOME INSPECTORS

Home-Link Service Center

The Committee reviewed copies of correspondence between Kent Tess-Mattner, Attorney at Law, and William Dusso, General Counsel, relating to a marketing plan, proposed by Shorewest Realtors, Inc. Committee members were pleased with Mr. Dusso's conclusions.

Committee members discussed the relationship of Committee member, Rick Staff's, involvement in this matter and questioned Mr. Staff's neutrality as a public member of the Committee.

MOTION: Mark Thomas moved, seconded by Brian Vanden Heuvel, to request the Department to review the criteria in the new home inspector law, relating to the appointment and role of a public member. Motion carried unanimously.

COMPLAINTS AGAINST HOME INSPECTORS

Hansen distributed a printout that identifies the complaints received by the Department during 2001. There were 10 unlicensed practice complaints.

Jerry Baumgart distributed an article from the Milwaukee Journal Sentinel on April 22, 2001. The article pertained to Dave Wheaton, Building Inspector for the City of Wauwatosa. The article appears to say that Mr. Wheaton has been acting as a home inspector. He is not a registered home inspector. Hansen said that he had already written to Mr. Wheaton and Mr. Wheaton said that the article is inaccurate and that he is not acting as a home inspector.

Committee members requested that Hansen do a bit more follow-up with Mr. Wheaton concerning the picture in the paper, showing an inspection of a home in Shorewood.

ISSUES RELATING TO CHAPTER 440, SUBCHAPTER X, AND CHAPTERS RL 131-135, WISCONSIN ADMINISTRATIVE CODE

Definition of Home Inspection

Committee members discussed the applicability of the definition of "home inspection" to commercial properties, restaurants with apartments upstairs and condominiums. The Committee discussed the need to obtain permission from all people in the multiple dwelling unit. These issues are not clearly addressed in the current statutes and rules.

The Committee agreed that more discussion and work will be needed to resolve some of the questions relating to the definition of "home inspection."

Apply for Examination 30 Days Before the Examination

Hansen said that eliminating this unnecessary requirement would require a statutory change and such a change has already been requested.

Delivery of Report to Clients Only

This issue was adequately addressed at the last meeting.

Relationship to Appraisers (440.978 (2) (I), Stats.)

This issue was adequately addressed at the last meeting.

Revisions to Standards of Inspection

The Committee informally agreed that the current rules are fine.

ADMINISTRATIVE RULE REVISIONS

No discussion, other than the items mentioned above.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Several non-action items were included in the meeting packet.

Committee members expressed an interest in still receiving a report from the Wisconsin Realtors Association, regarding the supply of registered home inspectors.

ADJOURNMENT

MOTION: Brian Vanden Heuvel moved, seconded by Mark Jankowski, to adjourn the meeting. Motion carried unanimously.